



## Legislation Text

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**File #:** 15-1246, **Version:** 1

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Recommendation to authorize the City of Long Beach to join by signing the Amicus Brief prepared and filed by Cities United for Immigration Action in Texas v. United States.

Texas v. United States is a case challenging President Obama's executive action on immigration, which would extend temporary relief to certain parents of U.S. citizens and permanent resident children, and would expand Deferred Action for Childhood Arrivals (DACA). The Fifth Circuit voted 2-1 to affirm the District Court's preliminary injunction against implementation of Deferred Action for Parents of Americans (DAPA) and expanded DACA.

Judge King issued a detailed dissenting opinion noting in part that the "dozens of amicus briefs filed in this case by interested parties across the ideological spectrum - Mayors, Senators, Representatives, and law enforcement officials, among others" underscore how the case "essentially boils down to a policy dispute."

The White House is appealing the 5th Circuit's decision, and Cities United For Immigration Action (CUIA), a coalition of nearly 100 cities and counties, launched in late 2014 to lead the effort to promote and execute immigration reforms nationwide, has filed an Amicus Brief in support of the appeal.

CUIA, which represents approximately 43 million people across the country, issued this statement in response to the 5th Circuit Court decision:

"Despite this decision, we are confident the President's executive actions will ultimately be upheld. Our cities simply cannot continue to be the engines of our nation's economic growth without fully integrating all of our communities. Now that the Department of Justice has an opportunity to petition the Supreme Court to hear this case, our cities will be ready to stand with the administration again in support of these common sense reforms. Together, we will press forward for a swift resolution to this challenge to ensure much-needed action on immigration is implemented."

The White House issued a statement as well: "We strongly disagree with the Fifth Circuit's decision. The Supreme Court and Congress have made clear that the federal government can set priorities in enforcing our immigration laws.

Smart deferred action policies make our communities safer and grow our economy, which is why administrations of both parties have pursued these kinds of commonsense immigration policies for more than half a century. This lawsuit is preventing people who have been part of our communities for years from working on the books, contributing to our economy by paying

taxes on that work, and being held accountable.

These policies are designed to bring greater accountability to our broken immigration system. Fifteen states and the District of Columbia, business leaders, local law enforcement officials, educators, faith leaders, elected officials, legal scholars, and others have all asked the courts to allow them to move forward. The Department of Justice and Department of Homeland Security are reviewing the court's decision as they consider the appropriate next steps for moving forward. We also continue to urge Congress to pass the kind of comprehensive immigration reform supported by the American people."

The Department of Justice also issued a statement: "The Department of Justice disagrees with the Fifth Circuit's adverse ruling on the appeal from the district court's preliminary

injunction. The Department is committed to taking steps that will resolve the immigration litigation as quickly as possible in order to allow DHS to bring greater accountability to our immigration system by prioritizing the removal of the worst offenders, not people who have long ties to the United States and who are raising American children. It is reviewing the opinion to determine how best to proceed to accomplish that goal."

The Long Beach City Council's adopted Federal Legislative Agenda includes the following statement: "Support comprehensive immigration reform that will provide a dignified path to United States citizenship, strengthen the nation's workforce and the economy."

We respectfully request that the City Council authorize joining the Amicus Brief filed by CUIA by authorizing the City to sign the Brief, demonstrating the City's support for immigration reform, and providing support to the White House appeal of the 5th Circuit Court's decision.

[Fiscal Impact]

Approve recommendation.

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